

EXHIBIT A

[REDACTED] were [REDACTED] for all drugs that were tested for; [REDACTED] tested [REDACTED] for [REDACTED] and [REDACTED] for the other drugs that were tested for.

41 [REDACTED] admitted to, and the crew confirmed, that he had been drinking beer while they were working gear on the AVA CLAIRE. He also stated that he recovered and drank some additional cans of beer while they were in the raft. He did not admit to using controlled drugs while on the AVA CLAIRE or in the period between being rescued and when he provided a urine sample.

Conclusions

1. It is concluded that the AVA CLAIRE was sunk as the result of a high-energy collision with another vessel that was not immediately identified.
2. It is concluded that the EPIRB on the AVA CLAIRE was knocked free of its mounting bracket by the force of the collision and began transmitting upon entering the water.
3. Based on the visual description provided by the crew, the ECDIS information obtained from the NORASIA ALYA and the Coast Guard's AIS information, it is concluded that the NORASIA ALYA collided with the AVA CLAIRE sometime between 1230Q / 1630Z and 1240Q / 1640Z. It is further concluded that neither the PODRAVINA nor the GULD FALK were involved in this collision.
4. There is evidence to suggest that the AVA CLAIRE was in violation of the 72 COLREGS in that sound signals were not being sounded as required by 35(d).
5. There is evidence to suggest that the NORASIA ALYA was in violation of the 72 COLREGS, Rule 19(b) in that the vessel was proceeding at 22 knots in very heavy fog. Further, there is evidence to suggest that the NORASIA ALYA was in violation of the 72 COLREGS, Rule 5 in that the AVA CLAIRE was not detected by the ship's crew either before or after the collision. Further, there is evidence to suggest that the NORASIA ALYA was in violation of the 72 COLREGS, Rule 35(a) in that sound signals were not being sounded as required.
6. There is evidence to suggest that the AVA CLAIRE was operating in violation of 46 C.F.R. § 25.26-5(a) in that the vessel was not fitted with a Category I float free EPIRB.
7. It is concluded that [REDACTED] was [REDACTED] in that he tested [REDACTED] for [REDACTED] and his BAC was [REDACTED] however, these factors did not contribute to this marine casualty.